

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

BLOOM ENERGY CORPORATION,

Plaintiff

v.

PLANSEE SE and GLOBAL TUNGSTEN
AND POWDERS CORP.,

Defendants.

§
§
§
§
§
§
§
§
§
§

CIVIL ACTION NO. 2:21-cv-101

JURY TRIAL DEMANDED

PLAINTIFF’S MOTION FOR LEAVE TO FILE COMPLAINT UNDER SEAL

Plaintiff Bloom Energy Corporation (“Bloom”) hereby requests leave to file its Complaint against Plansee SE and Global Tungsten and Powders Corporation (collectively, “Defendants”) under seal, pursuant to Federal Rule of Civil Procedure 5.2 and Local Rule CV-5(a)(7) of the United States District Court of the Eastern District of Texas. The Complaint needs to be filed under seal as it refers to the terms of several confidential license agreements, and to a confidential proceeding, as well as confidential business information, business practices, business relationships, and communications, amongst others.

For the foregoing reasons, Bloom respectfully requests that the Court grant this Motion and permit the filing of Bloom’s Complaint under seal. A proposed order is submitted herewith.

DATED: April 3, 2022

Respectfully submitted,

PAUL HASTINGS LLP

By: /s/ Yar R. Chaikovsky

Yar R. Chaikovsky
CA Bar #175421 (Admitted E.D. Tex.)
yarchaikovsky@paulhastings.com
Philip Ou
CA Bar #259896 (Admitted E.D. Tex.)
philipou@paulhastings.com
Bruce Yen
CA Bar #277920 (Admitted E.D. Tex.)
bruceyen@paulhastings.com
1117 S. California Avenue
Palo Alto, California 94304-1106
Telephone: (650) 320-1800
Facsimile: (650) 320-1900

Jeff Pade
jeffpade@paulhastings.com
VA Bar # 45725 (*pro hac vice* to be filed)
2050 M Street NW
Washington, D.C., 20036
Telephone: (202) 551-1700
Facsimile: (202) 551-1705

THE DACUS FIRM

Deron Dacus
TX Bar No. 00790553
ddacus@dacusfirm.com
821 ESE Loop 323, Suite 430
Tyler, TX 75701
Telephone: (903) 705-1117
Facsimile: (903) 581-2543

***Attorneys for Plaintiff BLOOM
ENERGY CORPORATION***